

INTERGOVERNMENTAL RELATIONS COMMITTEE

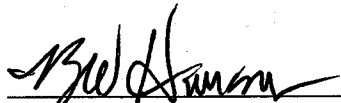
11-0352R

RESOLUTION AUTHORIZING LONG TERM LOAN AGREEMENT WITH THE  
ST. LOUIS COUNTY HISTORICAL SOCIETY FOR DISPLAY AND  
PRESERVATION OF THE TWO CITY-OWNED STAINED GLASS TIFFANY  
WINDOWS.

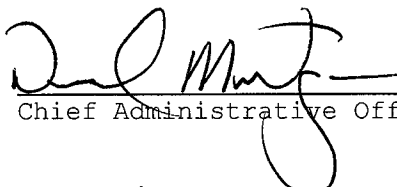
CITY PROPOSAL:

RESOLVED, that the city council hereby authorizes the proper city officials  
to execute a long term loan agreement with the St. Louis County Historical  
Society, substantially the same as that on file in the office of the city clerk  
as Public Document No. \_\_\_\_\_, for the display and preservation of the  
city-owned stained glass Weston-Tiffany Minnehaha window and the Weston-Tiffany  
Greysolon Du Lhut window.

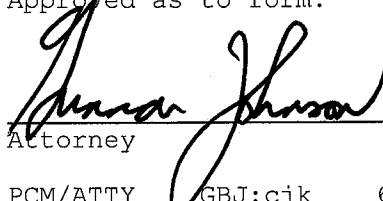
Approved:

  
Department Director

Approved for presentation to council:

  
Chief Administrative Officer

Approved as to form:

  
Attorney

Approved:

  
Auditor

PCM/ATTY GBJ:cjk 6/17/2011

STATEMENT OF PURPOSE: This resolution authorizes the execution of a long-term  
loan agreement with the St. Louis County Historical Society ("Society") for the  
display and preservation of the two city-owned stained glass windows known as the  
Weston-Tiffany Minnehaha window and the Weston-Tiffany Greysolon Du Luth window.  
The agreement provides that the Society must preserve, protect and display the  
windows at no cost to the public. The termination date of the agreement is  
December 31, 2026.

**TIFFANY WINDOWS LOAN AGREEMENT**  
**BETWEEN THE CITY OF DULUTH AND**  
**THE ST. LOUIS COUNTY HISTORICAL SOCIETY**

THIS AGREEMENT, is by and between the CITY OF DULUTH, a municipal corporation, the ("City"), and the St. Louis County Historical Society, a Minnesota non-profit corporation, the ("Society").

WHEREAS, in 1892, artist Anne Weston was commissioned by the Tiffany Company to design a window entitled the "Minnehaha", to be displayed at the World's Columbian Exposition in Chicago; and

WHEREAS, in 1904 the Greysolon duLhut Chapter of the Daughters of the American Revolution commissioned the Tiffany Company to create the Daniel Greysolon Sieur duLhut window, which was also designed by Anne Weston; and

WHEREAS, the two windows were displayed in Duluth's Carnegie Library from 1904 until 1980; and

WHEREAS, the windows were moved to the Historic Union Depot in 1980 and displayed in the south stair until 1999; and

WHEREAS, from 1999 until 2005, the windows underwent an extensive restoration by the Potente Studios in Wisconsin, and then were reinstalled in the front entrance of the Historic Union Depot; and

WHEREAS, in 2010 the windows were designated as local heritage preservation landmarks by the Duluth City Council; and

WHEREAS, the Society has represented that it is qualified and willing to preserve, protect and display the two Tiffany windows described above under the terms and conditions hereinafter set forth; and

WHEREAS, the City desires to utilize the Society to preserve, protect and display the two Tiffany windows.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

A. Termination of Prior Agreements.

All prior agreements between the parties or their predecessors are hereby terminated.

B. Representations and Duties of the Society.

(1) The Society is a Minnesota non-profit corporation duly organized and existing under the laws of the State of Minnesota and shall remain so. The Society's mission is as follows:

"The general nature and purpose of the Society shall be the discovery, preservation, and dissemination of knowledge about the history and prehistory of St. Louis County and the State of Minnesota.

In addition to collecting and preserving objects of material culture and historical research material, the Society shall maintain and operate a museum and materially participate in the collections and operations of a historical research center adequate to serve the region encompassing St. Louis County and northeastern Minnesota."

(2) The Society will preserve, protect and display the windows as described in the Tiffany Windows Submittal Requirements, which are attached hereto as Exhibit A, the Midwest Art Conservation Center evaluation, which is attached hereto as Exhibit B, and the Stewardship Guidelines attached hereto as Exhibit C.

(3) The Society will display the windows free to the public.

(4) The Society will be responsible for all costs associated with its duties set forth herein.

(5) The Society will not sell, encumber, loan or otherwise dispose of the subject windows.

(5) The Society will obtain and at all times maintain insurance for the benefit of the City against all risks of physical loss or damage for an amount equal or greater than the most recent professionally appraised value of the subject windows. The level, terms and limitations of the required insurance shall be approved, in writing, by the Duluth City Attorney's Office.

(6) Society agrees to observe and comply with all laws, ordinances, rules and regulations of the United States of America, the State of Minnesota and their respective agencies which are applicable to its activities under this Agreement.

C. Representations and Duties of City

(1) The City has been duly authorized to execute and deliver this Agreement.

(2) The City is the owner of the subject windows.

(3) The City seeks to protect and preserve these windows for the citizens of Duluth and to ensure that the windows are properly displayed within the City of Duluth.

(4) The City grants the Society the license to photograph and reproduce images of the windows for archival, educational, and publicity purposes.

D. Term.

This Agreement shall be effective upon the date that the final required signature is obtained by the City and shall remain in effect until December 31, 2026, unless terminated earlier as provided for herein.

E. Termination of Services.

Either party may by giving 90-day written notice terminate this Agreement without cause.

F. Standard of Performance.

The Society agrees that all services to be provided to City pursuant to this Agreement shall be in accordance with the generally accepted standards of the arts profession.

G. Records and Inspection.

(1) Records shall be maintained by Society in accordance with the requirements prescribed by the City and with respect to all matters covered by this Agreement. Such records shall be maintained for a period of six (6) years after the termination of this Agreement.

(2) The Society shall be responsible for furnishing to City copies of records, data and information as City may require pertaining to matters covered by this Agreement.

H. Notices.

Notice to City or Society provided for herein shall be sufficient if sent by the regular United States mail, postage prepaid, addressed to the parties at the addresses hereinafter set forth or to such other respective persons or addresses as the parties may designate to each other in writing from time to time.

City: Chief Administrative Officer  
City of Duluth  
Room 402 City Hall  
411 West First Street  
Duluth, MN 55802

Society: Executive Director  
St. Louis County Historical Society  
506 West Michigan Street  
Duluth, MN 55802

I. Waiver.

Any waiver by either party of any provision of this Agreement shall not imply a subsequent waiver of that or any other provision.

J. Applicable Law.

This Agreement, together with all of its paragraphs, terms and provisions is made in the State of Minnesota and shall be construed and interpreted in accordance with the laws of the State of Minnesota.

K. Assignment.

This Agreement may not be assigned without the prior written consent of the other party.

L. Amendment.

This Agreement may not be amended except by a written agreement duly executed by each of the parties hereto.

M. Severability.

In the event any provision herein shall be deemed invalid or unenforceable, the remaining provisions shall continue in full force and effect and shall be binding upon the parties to this Agreement.

N. Entire Agreement.

It is understood and agreed that the entire agreement of the parties is contained herein.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intending to be bound thereby.

**CITY OF DULUTH**

**ST. LOUIS COUNTY HISTORICAL SOCIETY**

By \_\_\_\_\_  
Mayor  
Dated \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_  
Dated \_\_\_\_\_

Attest \_\_\_\_\_  
City Clerk  
Dated \_\_\_\_\_

And By \_\_\_\_\_  
Its \_\_\_\_\_  
Dated \_\_\_\_\_

Countersigned:

\_\_\_\_\_  
City Auditor  
Dated \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
City Attorney

## Tiffany Windows Submittal Requirements

11-01DS

prepared by the  
St. Louis County Historical Society  
January 26, 2011

### Submittal Option 1. Permanent Loan

### Submittal Option 2. Gift

- See attachment #1. Resolution of Intent by the Duluth City Council, October 31, 2008, to cause a gift be made to the St. Louis County Historical Society of the Minnehaha and Daniel Greysolon Sieur Dulhut windows on certain conditions (the windows must remain in Duluth and must be maintained and insured).

### How will the St. Louis County Historical Society (Society) meet museum standards in regards to the care, upkeep and display of the windows?

- See attachment #2. Letter of commitment for one Objects Conservator from the Midwest Art Conservation Center (MACC) to make a site visit to the Society for the purpose of evaluating two Tiffany windows to prepare a Condition Report and Proposal for any necessary conservation treatment to be completed by MACC conservators at a future date.
- The MACC follows The Code of Ethics & Guidelines for Practice of the American Institute for Conservation of Historic and Artistic Works.
- The St. Louis County Historical Society is a founding institutional member of the MACC.
- See attachment #2.a. Resumes of MACC Object Conservators.
- See attachment #2.b. History and Mission of MACC.
- The Historic Union Depot Corporation (HUDC) agrees to fund the site visit and the seminar for Society and HUDC staff, addressing routine maintenance and response to vandalism or other damages. See attachment #3. Letter of commitment from Ken Buehler, HUDC Executive Director
- The Historic Union Depot Corporation (HUDC) agrees to continue to insure the windows through the Travelers Company/Jon Welles, Agent. See attachment #3. Letter of commitment from Ken Buehler, HUDC Executive Director.
- Since the 1920's, the Society has owned and cared for a world class collection of artworks (oils, charcoals and one pastel) by artist Eastman Johnson, depicting, primarily, the area Ojibwe when he visit the Head of the Lakes in 1856-57. As part of an ongoing program of conservation, the Society's Executive Director sought and received funding for assessment of the collection and all conservation work was completed in 2009. See attachment #4. Eastman Johnson Collection.
- The Society facilitated the recent conservation/restoration work on the Tiffany windows when they were removed from the Depot building stairway window

*and transported to Wisconsin/Studios of Potente. The City loaned the windows to a former building management agent that dissolved. The current management agent, the Historic Union Depot Corporation, facilitated their installation in their current location.*

- *The two Tiffany windows are currently installed, per the recommendation of the Studios of Potente and Wade Lawrence, Tiffany scholar, behind bullet proof/shatter proof glass, accommodating the exchange of climate-controlled air and with a "North Face" to limit UV radiation. The windows are suspended, per Potente's design and specifications. Potente facilitated the installation to ensure that stress on the glass segments would be negated.*

### RFO Questions:

1. Please provide a brief history of your organization.

- **Background:** Founded in 1922, the St. Louis County Historical Society (Society) primarily serves the residents of Duluth, St. Louis County, northeastern Minnesota and the visiting public through museum, archival and Internet based services. The administrative offices and museum operations are located within the St. Louis County Heritage & Arts Center, Duluth. The Northeast Minnesota Historical Center, located in the library at the University of Minnesota, Duluth, serves as the Society archives. The web site addresses are [www.vets-hall.org](http://www.vets-hall.org) and [www.thehistorypeople.org](http://www.thehistorypeople.org). The Society is consistently ranked as the most visited county based Society in the State of Minnesota by the Minnesota Historical Society and its artifact and archival collections are also ranked as outstanding in terms of scope and quality. Society staff is often consulted, through the recommendation of the State Historical Society, by organizations seeking to improve their historical services.
- **Affiliate Historical Organizations:** The Society, per County Board Resolution 809 dated November 26, 1984 and the Society's Bylaws, grants operational funding to six affiliated historical organizations: Ely-Winton Historical Society in Ely, Tower-Soudan Historical Society in Tower, Virginia Area Historical Society in Virginia, Hibbing Historical Society in Hibbing, Minnesota Museum of Mining and Chisholm, and Sisu Heritage, Inc. in Embarrass.
- **Services provided:** The mission of the Society shall be the discovery, preservation and dissemination of knowledge about the history and prehistory of St. Louis County and the State of Minnesota. In addition to collecting and preserving objects of material culture and historical research material, the Society shall maintain and operate a museum and historical research center adequate to serve the region encompassing St. Louis County and northeastern Minnesota.
- **Notes to mission statement:** The Society Board of Governors amended its mission statement in November, 2009 to more accurately describe the



organization's role in operation of a museum and historical research center to convey the following: the Society shall maintain and operate a museum, through agreement with St. Louis County, and shall participate in the maintenance and operation of a historical research center adequate to serve the region encompassing St. Louis County and northeastern Minnesota, through agreement with the Minnesota Historical Society and the University of Minnesota.

- The Historic Union Depot Corporation operates the St. Louis County Heritage and Arts Center (the Depot) for the County.
- The Society provides educational services that contribute to the well being of the citizens of Duluth/St. Louis County by providing primary source research services that help foster a healthy economy, and by ensuring that the County's history is held in public trust (through a citizen driven infrastructure) by the people of St. Louis County through the Society governance structure and the County governance structure.
- The Society, described as a *participating member organization or PMO*, operates a museum in the St. Louis County Heritage and Arts Center subject to the conditions of a lease agreement with St. Louis County.
- The Society is described as one of three parties, along with the University of Minnesota and the Minnesota Historical Society, in an Operations Agreement for the Northeastern Minnesota Historical Center, serving as the archives for the St. Louis County Historical Society.
- The Society, per designation by the Minnesota State Historical Society and state statute, is the recognized history service provider for St. Louis County. The Minnesota Historical Society monitors all county historical societies and collects data that, if so warranted, could lead to the loss of official status and, accordingly, loss of financial support.

The County of St. Louis has provided in-kind services and operating support to the Society since the 1920's. The County requires the Society to meet operating goals and provide a report on *Key Performance Indicators*. What follows are the 2010 goals and measurements available to date. The report has been edited and is available in its entirety upon request. Goals and measurements are provided to illustrate scope and quality of operations.

#### 2010 Organizational Goals/Performance Measures

##### 1. To add to the collection of artifacts representing Duluth/St. Louis County/Northeastern Minnesota History

- **Data Source:** Collection's Manager via PastPerfect, a collections documentation software program

- How used: Accessioning process is the basis for documentation of county history per documentation of object's/s' provenance. Governance board reporting.
  - *During 2010 161 artifacts were accessioned and 25 are accepted and waiting to be formally accessioned. The Society has over 8,000 accession records from 6,014 donors. The accession records represent over 15,000 individual objects. The artifact collections are deemed priceless and worthy of preservation. The collections include objects that transcend City and State borders, such as the Eastman Johnson collection of art, requiring a level of professional care similar to the Tiffany windows.*
2. To add to the collection of archival materials representing St. Louis County/Northeastern Minnesota History
- Data Source: Archivist via collection accession records.
  - How used: Accessioning process is the basis for documentation of those archival materials that serve as basis for research of county history. Archivist defines gaps in collection/s and targets areas for development. Reports to governance board.
  - *During 2010 over 2,000 individuals were served at the Northeast Minnesota Historical Center, archives of the Society. 19.25 linear feet of archival materials acquired, processed by Society staff and not yet accessioned. 21.66 linear feet of Veterans' Memorial Hall archival materials accessioned and housed at the Depot. The Society owned archival collections are regarded, per the Minnesota Historical Society, as among the finest collections owned by any county based historical society in the nation.*
3. To serve the citizens of St. Louis County and visiting public through museum based educational activities, per the terms of a Lease Agreement with the County and in cooperation with the Participating Member Organizations and the Historic Union Depot Corporation.
- *Preliminary 2010 Measures: (1.) Number of Depot based museum visitors – 51,070 (2.) Number of Depot rental patrons in areas enhanced by Society exhibits – 9,950 (3.) Number of patrons viewing Society traveling exhibits – 14,000. (4.) Number of participants or attendees at programs and events - 718. These measures do not include the number of individuals accessing the Depot building for Playhouse, Ballet, North Shore Scenic Railroad and non-PMO based activities. The Tiffany windows are exposed, accordingly, to over 100,000 visitors annually.*
  - Data sources: Historic Union Depot Corporation, traveling exhibit contact person, Society staff

- How used: To assess the public response to museum based activities for purposes of program planning and development, governance board reporting, comparison to other similar organizations
4. To serve the citizens of St. Louis County and researchers by participation through formal Agreement in the operation of the Northeast Minnesota Historical Center, a regional archives including Society owned materials.
- *Preliminary 2010 Measure:* (1.) Number of archives patrons served – 2,000
  - Data source: University of Minnesota, Duluth Library Director
  - How used: Patron numbers and reference requests are a measurement of the use of Society owned and related collections and, accordingly, their intrinsic value as a record of County and regional history. Use influences the resources needed to continue service.
5. To preserve all collections owned by the Society and held in public trust.
- Measure: Monitoring of archival and artifact storage for security, temperature, humidity and environmental impacts on collections.
  - Performance target: All owned collections in safe and environmentally sound storage or exhibit galleries; all collections documented for inventory purposes, including spot checks by staff leadership.
  - Data Source: University of Minnesota Duluth Library Director and Society Artifact Collections Manager (data supplied by Oneida Realty and Society owned data loggers)
  - Frequency of monitoring: Daily monitoring for temperature, humidity and environmental impacts via electronic recording mechanisms; daily security inspections; random spot checks; reports as necessary to Museum Operations Committee
  - How used: Reports to Executive Director and the Board of Governors for decision making regarding storage and conservation; reports from Oneida to County Property Manager and/or Historic Union Depot Corporation Executive Director
  - Factors or outside influences affecting results: building conditions, including HVAC equipment, building security, building maintenance, construction activity, adequate resources.
  - Why should this measure matter to the public: Objects and archival materials are held in public trust by the official county history service provider for study and education purposes and are irreplaceable resources for the citizens of St. Louis County and others and, accordingly, require preservation through proper care and storage.

- *All exhibit display areas and storage areas were satisfactorily monitored in 2010 and corrective measures, as may be necessary, were taken to adjust temperature and humidity levels.*
6. To monitor, per the Society Bylaws and County Board Resolution 809, the Society's affiliated historical organizations to ensure compliance with the conditions for affiliation.
- Measure: No less than quarterly assessment of the documentation required as proof of compliance with the conditions for affiliation , including verification of IRS tax-exempt status, review of yearly audits, compliance with affiliate bylaws, confirmation of affiliate board action to appoint a duly elected affiliate board member to serve on Society Board of Governors for election at the annual meeting of the Society members; confirmation of action to properly elect officers and board members, review minutes of a governing body holding regular meetings
  - Performance Target: Compliance with Society Bylaws
  - Data Source: Affiliates
  - *All affiliates were satisfactorily monitored in 2010 and corrective measures were taken as necessary to ensure compliance.*
  - How Used: By Executive Director for information of the Society Board of Governors and as basis; as may be necessary, for board action to ensure compliance
  - Why this measure should matter to the public: The Society is charged by the county with responsibility to ensure the affiliated historical organizations meet the county requirements for affiliation and, accordingly, are eligible for yearly operational support as granted to the Society by the county

#### **Program Description for Veterans' Memorial Hall:**

Veterans' Memorial Hall is a joint project of the St. Louis County Historical Society and the United States military service veterans of northeastern Minnesota, with a mission to gather, preserve, interpret, and promote the rich and diverse human experiences of veterans, their families, and communities through museum, archival, and educational programs.

#### **Program Goals:**

1. – 5. Goals one through five as provided for the St. Louis County Historical Society organization apply to the Veterans' Memorial Hall program.

- Why should these goals matter to the public: The Veterans' Memorial Hall project is a continuation of a project started in 1909 at the St. Louis County Court House in Duluth where veterans gathered, met and started a collection of materials documenting their experiences. The space the veterans met in was moved from the Courthouse to the St. Louis County Heritage and Arts Center in 1978. In 1995 veterans started a dialogue with the Society expounding on the difficulties experienced with Depot management. This dialogue resulted in the formation of a Veterans' Memorial Hall advisory committee in 1997, the professional collection, care and exhibition of archival and artifact materials, and expanded meeting and storage space for veteran groups. The Society also developed a Society exhibit gallery as Veterans' Memorial Hall and changed its entry point from the hallway to the Great Hall. In addition, the County Board of Commissioners (during the county ceremonies commemorating the 50<sup>th</sup> anniversary of the start/end of World War II) promised all generations of area veterans that their stories would be collected and made available throughout the county (starting with the WWII veterans).
6. To add 700 total \*stories in 2010 to the 6,445 stories and educational resources collected by the Society, as of 12/31/09 through the Veterans' Memorial Hall Program and made available for research and public education at [www.vets-hall.org](http://www.vets-hall.org)
- Measure: The number of veteran's or veteran related personal stories (\*basic biographies, expanded biographies, memoirs and oral histories) or related resources available through the website; the number of times the site is accessed in a calendar year. *\*listed in ascending order of time required to process*
  - Data Source: Veterans' Memorial Hall Program Director; website tracking
  - Why this measure should matter to the public: The Society works closely with the veterans' community through its VMH Advisory Committee and offers the only web-based educational resource committed to the ongoing collection and presentation of St. Louis County veteran's stories, as promised by the County, through elected leadership, in ceremonies commemorating the 50<sup>th</sup> anniversary of the start of World War II.
  - *600 basic biographies, 51 expanded biographies, 4 memoirs, and 11 oral histories were added in 2010. Website accessed over 10,200 times, with 8,059 visitors and 50,667 page views*
7. To implement a Veterans' Memorial Hall Committee approved Educational Plan and Museum & Oral History Outreach Program to serve the citizens of St. Louis County, visitors to the St. Louis County Heritage & Arts Center and citizens/visitors invited to programs scheduled outside of the Depot building in Duluth and throughout St. Louis County

- **Measures:** The incremental planning, completion/implementation of quality educational and outreach programs, per approved preliminary plans and within approved budget, through the performance of the Veterans' Memorial Hall Program Director, with the assistance of the Society Collections' Manager, as supervised by the Society Executive Director and advised by the VMH Advisory Committee. The VMH Program Director will perform the following tasks to ensure successful planning and implementation: lead and document the process of program planning to meet defined educational goals; lead and document the process of intern, volunteer or staff engagement in educational and outreach programming; document public and/or organizational participation in educational and outreach activities; secure grants and in-kind donations of professional services; monitor VMH website story submissions, oral history submissions, etc. as a result of outreach activity
- **2010 Performance Target:** The planning, scheduling and successful implementation of the seven educational activities/events and Outreach Program as measured by attendance, attendee satisfaction and collection of veterans' stories for addition to VMH website
- **Data Source:** Veterans' Memorial Hall Program Director, St. Louis County Historical Society Collections' Manager, Veterans' Memorial Hall Program Assistant
- **Frequency of Monitoring:** Data collected at the various events, by mail/email, by personal interaction and reported quarterly
- **How Used:** For reporting to VMH Advisory Committee and Society Board to assess public participation/satisfaction and to assess staff performance
- **Factors or outside influences affecting results:** The availability of staff, interns, volunteers, publicity, weather
- **Why this measure should matter to the public:** The citizens of St. Louis County expect the Society to collect, preserve and present the history of the county. The Society has assumed responsibility (per request of the County Board after contact by area veterans) for the Veterans' Memorial Hall Program, formerly a room in the County Court House (1909) where veterans regularly met and stored memorabilia. The St. Louis County Heritage & Arts Center museum visitor expects a quality museum educational experience. The citizens outside of Duluth expect service in their towns or rural areas. The operating support provided by the County leverages addition grant funds and donated professional services/in-kind support and allows for creative programming in the Depot, in Duluth and in greater St. Louis County.
- *See addendum #5. – Veterans' Memorial Hall Educational Plan Summary Report for 2010*

2. Please share what types of exhibits you manage, store and display.

- The Society has over 7,110 square feet of exhibit space within the Depot building. The exhibits cover topics related to Northeastern Minnesota, St. Louis County history and include Depot Square (a scale model of a 1910 era Duluth street with shops representing Duluth businesses), Veterans' Memorial Hall, Norwegian wood carving and immigrant history. The Society also displays and offers exhibits (See addendum #6.) through its traveling exhibit program.

3. Share your experience and qualifications working with stained glass art or other similar art categories.

- The Society is a founding institutional member of the Midwest Art Conservation center and relies on its professional staff for all matters related to stained glass art or other similar categories. (See addendums 2., 2.a. and 2.b.)

4. Please outline the resources available to appropriately maintain the windows.

- The Society and the Historic Union Depot have agreed to cooperate as follows: The Historic Union Depot Corporation will fund a two day assessment of the windows and a maintenance training session as provided by an Objects Conservator from the Midwest Art Conservation Center. The HUDC will insure the windows. The Society and HUDC staff will inspect the windows at least five days of each week. Conservator recommendations regarding location, care, conservation or restoration will be addressed by the Society, working in cooperation with the HUDC. The Society will seek grant funding as may be necessary for through the efforts of its Executive Director.

5. Do you have a curator on staff? If not, who would be responsible for the care of the windows.

- No, the Society employs a Collection's Manager. The Collection's Manager, Milissa Brooks-Ojibway, will be trained by MAC Objects Conservator to inspect the windows. Dan Hartman, Veterans' Memorial Hall Curator, will also be trained as a backup. HUDC will also ensure that its maintenance staff is trained to inspect the windows. Any and all findings from inspections will be communicated to MAC Object's Conservator. High resolution digital images will also be transmitted, electronically, per the MAC's recommendations as a part of the inspection process.

### RFO Questions:

1. Where would the windows be displayed/exhibited?

- The windows are currently displayed, per the recommendations of *Potente Studios*, in the lobby of the Performing Arts Wing of the St. Louis County Heritage and Arts Center (the Depot). Over 100,000 individuals access this area of the Depot building. However, if the display location or display methodology is deemed inappropriate, the Society agrees to seek funding to address the Midwest Art Conservation Center's recommendations. The understanding regarding a relocation of the windows is that they shall remain on free public display.

2. How would the windows be displayed?

- The windows would be displayed according to the recommendations of the Midwest Art Conservation Center Objects Conservator, per findings, upon inspection.

3. How long would you exhibit the windows?

- The windows would remain on permanent display per agreement with the City of Duluth.

4. How would you address window relocation?

- The Society, working in cooperation with the Historic Union Depot Corporation, would follow the recommendations of the Midwest Art Conservation Center and move the windows to a suitable location ensuring free public access. A qualified contractor, such as the Potente Studios, would be engaged to ensure compliance with curator's recommendations and esthetic considerations. Possible funding sources for window relocation include: Minnesota Legacy Funds, Minnesota Humanities Commission, Duluth Superior Community Foundation, Depot Foundation and the JNM Gift Trust.

5. How would you care, maintain and preserve the windows? Explain or identify the financial resources available to you to do so.

- As explained above, the care, maintenance and preservation plans shall be driven by the Midwest Art Conservation Center. The Historic Union Depot Corporation has agreed to insure the windows and pay for the MAC inspection that will generate the care, maintenance and preservation plans.
- The Society's most recent audit, current budget and County funding summary report are attached. See addendum # 7.
- The Society has operated for almost 90 years and has a record of consistent county, restricted endowment, membership, earned revenue, in-kind and grant



support. The staff infrastructure of the Society and the HUDC provides a consistent basis for the implementation of care, maintenance and preservation plans generated by the Midwest Art Conservation Center.

6. What type of security would you provide while the windows were on exhibit and if in storage at any time?

- The Depot building is monitored by security cameras (new system to be installed by March 1, 2011), motion sensors, HUDC staff and a contracted security firm. In addition, Oneida Realty provides building maintenance services and their staff is trained to report security threats. The Duluth Police Department will be engaged proactively and as necessary to address vandalism and theft concerns.
- Storage of the windows would be addressed per the recommendations of the Midwest Art Conservation Center and may include off-site storage at an approved storage site. The windows were most recently stored at the Potente Studios. The Society and the HUDC would address storage, confidentially, to mitigate the potentials for vandalism or theft.

7. How much insurance would you provide for the windows while in your possession?

- The windows will be insured to their full value per the appraised valuation provided by the City of Duluth. The windows are currently insured by the Historic Union Depot Corporation for \$250,000. The Society will continue to insure the windows per the advice of the Society/HUDC agent Jon Welles. The HUDC has agreed to cover the cost of insurance.

8. Provide an example of the type of agreement you would use for temporary/short term loan and long term or permanent loan.

- See addendum #8.
- The Society is of the understanding that the City of Duluth will originate the loan as the owner of the windows and, therefore loaner of the windows. The attached agreements are used for incoming and outgoing loans.

Also attached:

- 2009 Annual Report
- Society newspaper and newsletter sample copies



## Midwest Art Conservation Center

2400 Third Avenue South Minneapolis, MN 55404

**Owner:** Historic Union Depot Corporation (HUDC)  
**Address:** 506 West Michigan Street  
 Duluth, MN 55802

**Contact:** Ken Buehler, Executive Director  
**Phone:** 218-727-8025  
**Project No.:** 11.11516.1  
**Artist:** Ann Weston for Tiffany  
**Title:** Site Visit to Evaluate Two Tiffany Windows  
**Medium:** glass, lead came, copper foil, stones  
**Dimensions:** H: 121", W: 42", D: unknown

### Marks:

### Treatment Report

### OVERVIEW

On May 16-17, 2011, the Associate Objects Conservator from Midwest Art Conservation Center examined two stained glass windows at the Historic Union Depot in Duluth, Minnesota, and provided onsite training for staff maintaining the artwork. This report describes the windows and their condition, and provides recommendations for future maintenance.

The first window, generally described as the Minnehaha Window, was designed by Ann Weston for Louis Comfort Tiffany in 1893 after a photograph by David F. Barry depicting a Native American woman named Shooting Star. The window was commissioned by the Women's Auxiliary to the Minnesota World's Fair Commission, exhibited at the World's Columbian Exposition in Chicago, and subsequently purchased by the Ladies Library Association [note: the purchase is also attributed to the St. Louis County Women's Auxiliary] for the new Duluth Public Library, which was at the time housed in the Masonic Temple building. The window traveled to Atlanta in 1895 for the Cotton States and International Exposition, and was permanently moved to Duluth's Carnegie Library building when it was constructed in 1902. At that time an addition was made by Tiffany so that it would fit into the new location.

In 1904, Ann Weston designed the Daniel Greysolon Window as a companion to Minnehaha and both were displayed in the Carnegie Library reference room. An early repair, although it is not known to which window, was completed by a representative from Tiffany, in situ, in 1907. The windows remained in place until the Library itself moved in 1980. There was no space for the windows in the new Library building, so they moved to the Historic Union Depot where they were displayed in the south stair until their restoration in 1999. In 2005 they were reinstalled in their current location at the Depot's main entrance.

A file in the Duluth public library contains extensive information about the windows, including old newspaper clippings, letters, and photographs.

### DESCRIPTION

and lead coming, and the window is framed with painted wood of the same profile as the Minnehaha window.

In black paint on the glass at the bottom right corner: "TIFFANY STVDIOS / NEW YORK".

### Site

The windows are currently installed side by side at the front entrance to the Historic Union Depot. Visitors approach them and enter the building through doors on either side. The windows are on street level, facing north. They have been mounted behind protective glazing on both the interior and exterior. The exterior glazing is approximately 1/2" thick bullet resistant, shatterproof glass, and is sealed against the exterior air. The distance between the exterior glazing and the artwork is approximately four inches. The interior glazing is approximately 1/4" thick bullet resistant, shatterproof glass with four narrow openings (between pieces of glazing) running vertically from floor to ceiling for exchange with interior air. The distance between the interior glazing and the artwork is approximately 1.5".

The building is open to the public between 10 am and 7 pm daily, with occasional late night openings for Playhouse or Gallery events, or for private functions. During regular hours the area is staffed with a single person at the visitor desk (down the hall but within sight of the windows). The doors are locked after closing and the interior is alarmed with motion sensors. In the event of activation, an outside service dispatches police to the location.

The temperature and relative humidity are maintained at set levels by the HVAC system. Independent readings were taken during the site visit, and show an inside temperature ranging from 66 - 69 degrees Fahrenheit, with a relative humidity of 30 - 35%. Outside temperature ranged from 47 - 68 degrees and RH was 24 - 53%. Light readings taken inside varied from 212 - 357 lux, and UV readings were between 0 - 87 microwatts/lumen. Outside light readings were 1,659 - 71,112 lux, with UV of 969 - 1664 microwatts/lumen. For complete readings, see attached table. Please note that all readings were taken outside the protective glazing which houses the artwork.

### **CONDITION**

Both windows are in fair to good condition overall and the site itself provides excellent public access to the artwork while minimizing the risk of damage with protective glazing. There is some cracking glass and came as well as other condition issues which are discussed in detail here. Structural concerns are described first, followed by issues related to previous restorations, then surface conditions, and finally topics related to the site. Diagrams are attached which show the exact locations of many of the condition problems.

- Many glass pieces are cracked in both windows, although the cracking is more extensive in the Greysolon window. Many of the cracks show dust and grime, suggesting they are not new, and several significant cracks that appear in translucent areas (such as the columns on the Greysolon Window) appear in photographs taken of the windows in 1984 and published in a thesis by Wade Lawrence. The cracking is worst in the green confetti glass pieces present in the treetops of the Greysolon Window.

- There is some buckling in the Greysolon Window at the lower text panel, roughly 1/2 - 1/3" out of plane. Planar deformation (roughly 1 1/2" out of plane) to the area of the paddle and rifle

at the bottom of this window - not corrected during 1999-2005 restoration - is presumed to be intentional.

- There are broken comes in numerous places on both windows, more so on the Minnehaha Window. Some solder-repaired joins are also failing on both. Light is visible between the glass and come in a few locations on each window.
- The 18" x 42" panel at the bottom of the Minnehaha Window, which contains the painted text describing the window's creation, is a later addition. A 1902 addition is described in the Duluth Library's file on the window - created by Tiffany when the window was moved to the Carnegie building. However, in a watercolor painting of both windows completed by Ann Weston in 1904 the text is different. Weston's painting depicts this text: "THIS WINDOW WAS PRESENTED TO / THE LIBRARY IN 1893 BY THE / LADIES LIBRARY ASSOCIATION / AIDED BY THE SCHOOL CHILDREN". The current painted text is sloppily executed, with letters bunching up at the right edge. It is possible that the current addition is not the one created by Tiffany.
- The extent of previous restoration is unknown. 1907 repair, conducted by a representative from Tiffany, is described in the Duluth Library file as "extensive", but it is not known even which window was repaired.

Mark Jaeger from Potente Studios in Wisconsin completed the 1999-2005 restoration and described in a telephone conversation on 05/18/2011. He said that the Greysolon Window was about 75% recamed, with less recaming on the Minnehaha Window. Buckling was removed in both windows, and all glass was washed. The glass was three layers thick in some places, they discovered during restoration. Lead and copper foil were used and the repairs were expected to last at least 100 years. Mr. Jaeger said that before treatment the Greysolon Window had much more cracking and breakage than the Minnehaha Window, though most of it around the area of the lead letters at the bottom. Broken glass to both windows was replaced with Tiffany replacement glass or in some instances repaired with epoxy. The original wood frames were stripped, repaired, primed and painted. A copy of the rubbings taken from the windows was given to the City, along with a set of photographs.

Visual observations made during the examination noted extensive lead solder repair work on the Greysolon Window, with supports added on both the interior (nine horizontal supports) and exterior (five vertical supports). The central image area, however, remains unsupported. There are fewer areas of solder repair visible on the Minnehaha Window, and most of those are on the exterior. A large piece of confetti glass in the Minnehaha Window, off of her left arm, appears to be a replacement. The colors do not match other confetti glass.

The appearance of the Minnehaha Window is significantly different on the outside, and while this might be as originally conceived, it is also possible that this represents an earlier repair. The falls and foliage are hardly visible on the outside, replaced instead by abstract green (falls), blue (foliage), and orange (foliage) shapes. Minnehaha's dress appears very different outside, with small pieces of different colors and textures of glass joined by comes. Her hands are dark purple, and her face has splotches of purple in an otherwise greyish glass. Overall, the image is difficult to read, and possibly not intended to be viewed from outside.

- The wood frame was painted in place and there are some areas of grey paint on both windows. Also, the grooves cut into the frame to correspond to the support bars on the windows do not line up exactly, or are the incorrect depth in many places.
- There is significant dust, dirt, lead corrosion, waterproofing, insect detritus, cobwebs, etc. on both windows, particularly on horizontal surfaces and at the bottom of the frame. This is worse on the outside surfaces, and worse on the Minnehaha Window.
- The protective glazing prevents access and cleaning. The four air vents going floor to ceiling are not filtered or screened, and there is no mechanism in place for air circulation inside the glazing. Exterior glazing is gasketed, but the gasket is hardened along the bottom edge and will need to be replaced when it starts to crack. The temperature differential between the interior and exterior glazing is likely quite severe in the winter. In the summer months direct sunlight strikes the windows, likely creating considerable heat within the glazing.
- The site is on street level and close to a busy road. There is a possibility of vehicular damage.

## **RECOMMENDATIONS**

The following recommendations are made to ensure the continued well-being of the Tiffany windows.

1. Modify the protective glazing in order to provide access for dusting, install a fan to improve air circulation, and cover the vents with replaceable filters or screens. It is possible that the smaller section of glazing between the two windows could be removed and modified for this purpose. Consultation with the firm who completed the glazing originally (St. Germain's Glass Company), or another local contractor, is suggested.
2. Regular visual inspection is recommended. Detailed diagrams and photographs are included with this report to aid in the examination of the artwork. Monthly visual inspections are ideal. Compare the condition of the windows with the provided documentation and note any changes. Contact a conservation professional in the event of any significant change, particularly damage, new cracks or breaks, or if the buckling progresses to 1 1/2" out of plane. Ideally, this inspection would be completed by the same individual each time, since that person will become very familiar with the artwork. Document each inspection, even if there is no change.
3. As part of the visual inspection, take environmental readings - including temperature, relative humidity, and light readings - and keep a record of those readings. This will provide evidence of good stewardship.
4. Clearly identify the responsibilities associated with the artwork, including to whom the artwork is on loan, who is expected to maintain it, and who is financially responsible for any expenses incurred. Designate owner and curator and make a determination of where all documentation (history, this report, visual inspection notes, environmental readings) will reside, and who will be informed in the event of damage or an emergency. Share these designations and responsibilities with the City of Duluth, the Duluth Library, the St. Louis County Historical Society, the Historic Union Depot, and any other interested parties.

5: The window will need additional restoration in the future (observations made during regular visual inspection will help to predict the timeframe) in order to replace existing original comes and repair breaks that have occurred. Lead come used in the late nineteenth and early twentieth centuries was pure lead, which has a life span of approximately 100 years. Restoration comes are a more long-living alloy. Since the comes were not completely replaced during the 1999-2005 restoration, they will need to be monitored closely for signs of degradation and failure. Ideally, the comes will be replaced before their failure causes significant breakage to the glass itself. The work should be completed by a firm specializing in stained glass restoration. The owner and custodians should prepare in advance to fund this repair.

**Conservator:** Nicole Grabow

**Date Completed:** 5/27/2011

**Client:** Historic Union Depot Corporation (HUDC)

**Project No.:** 11.11516.1

## EXHIBIT C

### STEWARDSHIP GUIDELINES for: Minnehaha & Greysohn Tiffany windows

Conservation of a cultural property, such as historically significant stained glass windows, should include site specific careful preservation, and planned management to ensure protection from exploitation, destruction or neglect.

Preservation standards to apply:

1. All actions of the conservator and steward must be governed by an informed respect for the aesthetic, historic and physical integrity of the windows.
2. Every attempt should be made to keep the original fabric of the windows intact, especially glass and fired painting. Rare exceptions to be made *only* when it will significantly hinder the desired outcome.
3. All treatments should employ the minimum, reversible, least invasive approach to satisfy the preferred outcome of the project.
4. All conditions prior to treatment and proposed and applied procedures and materials should be documented and provided to the cultural property steward. These records should be accurately maintained for future reference.
5. Recognize stained glass as an architectural art that contributes to a building, community and historic time. When original context cannot be maintained, any relocation or future presentation should minimize the loss of physical and cultural integrity. That process should be documented.
6. Seek guidance about current standardized procedures and recommended qualified professionals from the Minnesota Historical Society or The Stained Glass Association of America.

#### Basic Physical Checklist:

Stained glass windows should not be directly exposed to exterior elements, or extremes of temperature and moisture fluctuation.

Stained Glass windows should never be cleaned with common household products.

If safety glazing is employed, it should be installed with a spacer that accommodates expansion/contraction of materials.

Venting and installation of safety glazing should be considered and engineered for the site-specific conditions.

Corrosive effects of incompatible metals and materials should be avoided. Absolutely no silicone or vinyl caulking should be applied to the window proper or its bedding.

Natural lighting sources are preferred, but if artificial illumination is necessary, it should be diffused, indirect where possible, and without substantial heat build-up. Excessive ultra-violet exposure may exacerbate deterioration of fired-on pigments or lead work oxidation.

Standard professional evaluation of cultural property condition should occur on a time schedule relative to their surroundings, their age and current condition.

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